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7 Attorneys for Defendant,
Great American E&S Insurance Company, an Ohio
8 Corporation, fka Agricultural Excess and Surplus
Insurance Company
9

10 **IN THE UNITED STATES DISTRICT COURT**
11 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
12

13 HDI-GERLING AMERICA INSURANCE
COMPANY, a New York Corporation,
14

15 Plaintiff,
16

17 v.
18

HOMESTEAD INSURANCE COMPANY, an
19 Pennsylvania Corporation; GREAT AMERICAN
E&S INSURANCE COMPANY, an Ohio
20 Corporation, formerly known as AGRICULTURAL
EXCESS AND SURPLUS INSURANCE
COMPANY, and DOES 1-10,
21

22 Defendants.
23

Case No.: CV-08-1716 PJH

**JOINT STIPULATION AND
PROPOSED ORDER TO CONTINUE
DATES FOR INITIAL CASE
MANAGEMENT CONFERENCE,
INITIAL DISCLOSURES AND RULE
26(f) REPORT**

Complaint Filed: March 31, 2008

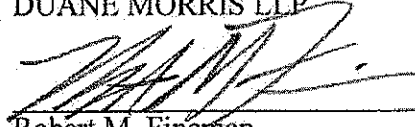
24 IT IS HEREBY STIPULATED AND AGREED by and between the parties, through their
25 undersigned attorneys, that a continuance of the initial case management conference, service of
26 initial disclosures, the filing of the Rule 26(f) Report, and the deadline for the parties to meet and
27 confer is appropriate so that the parties can focus on the briefing of defendants' separate motions to
28 dismiss pursuant to FRCP 12(b)(6), which are set for hearing on July 9, 2008. Because these
motions raise ultimate questions of law, and no answers have been filed, the parties believe it would
be appropriate and most efficient to re-schedule the deadlines for meeting and conferring, filing the

1 Rule 26(f) Report, completing initial disclosures or stating objections in Rule 26(f) and filing the
 2 Case Management Statement and the date for the initial case management conference from the dates
 3 initially set in the Court's March 31, 2008 ADR Scheduling Order until dates after the hearing on the
 4 FRCP 12(b)(6) motions on July 9, 2008. The parties propose the following new dates:

6	Current Date	Proposed New Date	Event
7	06/12/2008	07/17/2008	Last day for parties to meet and confer regarding initial disclosures or objections under Rule 26(f) and Case Management Statement
9	06/26/2008	07/31/2008	Last day to file Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) and file Case Management Statement
12	07/03/2008	08/07/2008	INITIAL CASE MANAGEMENT CONFERENCE

14 Dated: June 5th, 2008

DUANE MORRIS LLP


 Robert M. Finerman
 Attorneys for Defendant Great American E&S
 Insurance Company


19 Dated: June _____, 2008

MORALES FIERRO & REEVES

Richard A. Eggerth
 Attorneys for Defendant Plaintiff HDI-Gerling
 America Insurance Company

23 Dated: June _____, 2008

CHARLSTON REVICH & WOLLITZ LLP



 Howard Wollitz
 Attorneys for Defendant Homestead Insurance
 Company

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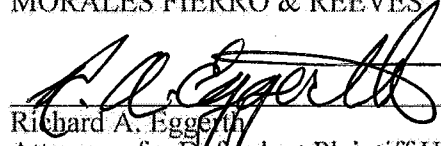
14 Dated: June 9th, 2008

DUANE MORRIS LLP


 Robert M. Fineman
 Attorneys for Defendant Great American E&S
 Insurance Company


19 Dated: June 9th, 2008

MORALES FIERRO & REEVES


 Richard A. Eggerth
 Attorneys for Defendant Plaintiff HDI-Gerling
 America Insurance Company

23 Dated: June _____, 2008

CHARLSTON REVICH & WOLLITZ LLP


 Howard Wollitz
 Attorneys for Defendant Homestead Insurance
 Company

[PROPOSED] ORDER

AND NOW, to enable the parties to focus on the briefing and resolution of the Defendants' separate FRCP 12(b)(6) motions, and for other good cause shown, it is ORDERED that the ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES is amended as follows:

Date	Event
07/17/2008	Last day for parties to meet and confer regarding initial disclosures or objections under Rule 26(f) and Case Management Statement
07/31/2008	Last day to file Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) and file Case Management Statement
08/07/2008	INITIAL CASE MANAGEMENT CONFERENCE

Dated: _____

AND IT IS SO ORDERED:

 PHYLLIS J. HAMILTON
 Judge of the United States District Court
 Northern District of California